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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/002,742	11/02/2001	Toshio Ueno	01705/LH	3847
1933	7590	02/27/2006	EXAMINER	
FRISHAUF, HOLTZ, GOODMAN & CHICK, PC			JEANTY, ROMAIN	
220 Fifth Avenue			ART UNIT	
16TH Floor			PAPER NUMBER	
NEW YORK, NY 10001-7708			3623	

DATE MAILED: 02/27/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/002,742

Applicant(s)

UENO, TOSHIO

Examiner

Romain Jeanty

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 December 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) 1-10 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 11-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Election/Restrictions

1. Applicant's election without traverse of claims 13-20 in the reply filed on December 29, 2005 is acknowledged. Claims 11-21 are pending in the application.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 11 and 21 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 11 and 21 recite the limitations "... a preset condition and a preset point range...". These limitations render the claims vague and indefinite because it is unclear as to what the present condition and the preset point are.

The dependent claims 12-20 suffer of similar deficiencies of their respective base claims, as noted above.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the

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subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 11-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Herz et al "Herz" (U.S. Patent No. 5,754,938) in view of Buddle et al "Buddle" (U.S. Patent No. 6,912,502).

As per claim 11, Herz discloses server for system for customized electronic identification of desirable objects. In so doing, Herz discloses a calculating points for each analysis-determination item used to analyze and determine a report having no solution on the basis of a result obtained by analyzing product information related to a sales product and a preset condition for the result, totaling the points calculated for the analysis-determination items (col. 20, lines 40-65-67 and col. 23, lines 11-26).

Herz discloses all of the limitations above but fails to disclose issuing a complaint report of the report to a host center on the basis of a totaled points and a present point range for complaint-report-issuing. Buddle in the same field of endeavor, discloses the concept of issuing a complaint report (col. 9, lines 10-33). It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the disclosure of Herz to include the points calculation as evidenced by Buddle in order to identify compliance issues for various business processes.

As per claim 12, discloses changing for each analysis-determination item setting of weighting on the points calculated on the basis of the preset condition for the result

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from the result obtained by analyzing the product information (i.e., weighing the points and analyzing the product of interest of a user) (col. 20, lines 40-65-67 and col. 23, lines 11-26).

As per claims 13-20, the claimed features are standard practice of receiving and evaluating complaint issues from customers. Therefore, it would have been obvious to a person of ordinary skill in the art to modify the disclosures of Herz and Buddle to include these well-known teachings in order to identify compliance issues for various business processes.

Claim 21 recites a computer program product for complaint-report issue, comprising a computer-readable storage medium having computer-readable program code means embodied in said medium, said computer-readable program code means for performing the steps of method claim 1. Note rejection below.

Herz discloses server for system for customized electronic identification of desirable objects. In so doing, Herz discloses a calculating points for each analysis-determination item used to analyze and determine a report having no solution on the basis of a result obtained by analyzing product information related to a sales product and a preset condition for the result, totaling the points calculated for the analysis-determination items (col. 20, lines 40-65-67 and col. 23, lines 11-26).

Herz discloses all of the limitations above but fails to disclose issuing a complaint report of the report to a host center on the basis of a totaled points and a present point range for complaint-report-issuing. Buddle in the same field of endeavor, discloses the concept of issuing a complaint report (col. 9, lines 10-33). It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the

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disclosure of Buddle in the points calculation of Herz in order to identify compliance issues for various business processes.

Conclusion

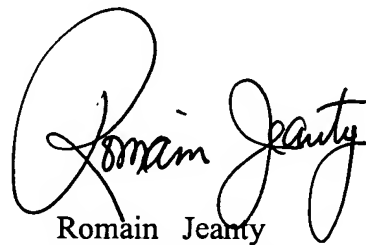
6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Romain Jeanty whose telephone number is (571) 272-6732. The examiner can normally be reached on Mon-Thurs 7:30AM - 6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tariq R. Hafiz can be reached on (571) 272-6729. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

January 9, 2006

RJ



Romain Jeanty
Primary Examiner
Art Unit 3623